

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

CHILDREN'S HEALTH DEFENSE, et al.,
Plaintiffs,
vs.
THE WASHINGTON POST CO., et al.,
Defendants.

CASE NO. 2:23-cv-004-Z

**UNOPPOSED MOTION TO EXTEND TIME FOR
DEFENDANT THE ASSOCIATED PRESS TO FILE RESPONSIVE PLEADINGS**

Defendant The Associated Press (“The AP”) hereby respectfully requests that the Court extend the deadline for its responsive pleadings by thirty (30) days from February 21, 2023 to March 23, 2023. This is The AP’s first request for an extension. The AP conferred with Plaintiffs and they do not object to this motion.

As grounds for this motion, The AP states as follows:

1. Plaintiffs filed this action on January 10, 2023, alleging antitrust claims under Section 1 of the Sherman Act based on an alleged complex group boycott scheme involving dozens of alleged co-conspirators. *See* Complaint (ECF No. 1).

2. The Complaint named nearly a dozen Plaintiffs and four Defendants: The AP, The Washington Post Co., the British Broadcasting Corporation (“BBC”), and Reuters News & Media, Inc. (“Reuters”). *Id.* ¶¶ 110-113.

3. On January 30, 2023, Plaintiffs served The AP with the Complaint. See ECF No. 16. Accordingly, pursuant to Federal Rule 12(a)(1)(A)(i), The AP's responsive pleadings are due on February 21, 2023.

4. Plaintiffs also served The Washington Post Co. on January 30, 2023 and Reuters on February 3, 2023. *See* ECF No. 16.

5. Plaintiffs informed The AP in a February 13, 2023 email that they have not yet been able to effectuate service on BBC. Plaintiffs allege BBC “is a royally chartered UK public service corporation with a principal place of business in London.” *Id.* ¶ 111. Plaintiffs have informed this Court that the “BBC is a necessary and indispensable party in this anti-trust action.” ECF No. 14 at 2. The AP understands that Plaintiffs are in the process of effectuating service on the BBC under Rule 4(f)(1) or (f)(3) as directed by the Court. ECF No. 15 at 1.

6. The AP contacted Plaintiffs’ counsel of record on February 13, 2023 and requested a thirty-day extension of The AP’s February 21, 2023 responsive pleadings deadline to March 23, 2023 in order to allow all parties sufficient time to negotiate and propose a joint briefing schedule. Plaintiffs’ counsel agreed that a joint briefing schedule would be efficient for the Court and the parties.

7. On February 15, 2023, Plaintiffs responded that they had no objection to The AP’s motion.

8. Good cause exists to extend the deadline for The AP to answer or otherwise respond to Plaintiffs’ Complaint. *See* FED. R. CIV. P. 6(b)(1)(A).

9. The AP intends to file responsive motions and believes other Defendants are also likely to file responsive motions. These motions will likely present substantially similar or overlapping arguments about the sufficiency of Plaintiffs’ antitrust claims. It is in the best interest of efficiency and judicial economy if all Defendants file their responsive motions on an agreed joint briefing schedule so that Plaintiffs may respond to and the Court may consider all of Defendants’ motions simultaneously.

10. Moreover, counsel for The AP require additional time to prepare responsive motions to Plaintiffs' 96-page complaint involving dozens of parties and alleged co-conspirators. Counsel have numerous obligations, including scheduled discovery and motion practice in other litigation, that makes responding on the current schedule impracticable.

11. Accordingly, The AP requests that the deadline for its responsive pleadings be extended thirty (30) days from February 21, 2023 to March 23, 2023. This extension will allow AP to marshal its defenses in this complex, multi-party antitrust action and facilitate the parties' negotiation of a joint briefing schedule in the interests of efficiency.

12. No party will be prejudiced by the requested extension, and allowance of this motion will also be in the interests of justice and judicial economy.

WHEREFORE, The AP respectfully requests that this Court grant this unopposed motion and permit The AP to file responsive pleadings or motions on or before March 23, 2023.

Respectfully submitted,

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Attorneys for Defendant The Associated Press

CERTIFICATE OF CONFERENCE

I hereby certify that on February 13, 2023, counsel for Defendant The Associated Press conferred with Plaintiffs regarding the above motion and, on February 15, 2023, Plaintiffs stated they had no objection to the motion.

/s/ Timothy C. Williams _____
Timothy C. Williams

CERTIFICATE OF SERVICE

I certify that on February 15, 2023, I electronically filed the foregoing pleading with the Court, using the CM/ECF system. The electronic case filing system will send a notice of electronic filing to the attorneys who have consented in writing to accept service by electronic means.

/s/ Timothy C. Williams _____
Timothy C. Williams